

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIRIACO PUCILLO

Plaintiff(s)

v.

CIVIL ACTION

NO. 03-12359-MLW

METSO PAPER CO., et al

Defendant(s)

SCHEDULING ORDER

WOLF, D.J.

This case is governed procedurally by the 1992 Amendments to the Local Rules of the United States District Court for the District of Massachusetts (the "Local Rules"), which implement the District's Civil Justice Expense and Delay Reduction Plan. Counsel must, therefore, comply with the relevant Local Rules in the litigation of this case.

It is hereby ORDERED pursuant to Fed. R. Civ. P. 16(b) and Local Rule 16(f) that:

[X] 1. Counsel for the parties shall report to the court by DECEMBER 13, 2005 as to whether they agree that the defendant, Metso Paper, Co., can be dismissed from the case.

[X] 2. Plaintiff(s) and/or Counterclaim or Third Party Plaintiff(s) shall by JANUARY 6, 2006 designate experts and disclose the information described in Fed. R. Civ. P. 26(a)(2), concerning each expert. Each other party shall by FEBRUARY 28, 2006 designate expert(s) and disclose the information described in Fed. R. Civ. P. 26(a)(2).

[X] 3. All discovery shall be complete by MARCH 31, 2006.

[X] 4. Counsel for the parties shall confer and, by MAY 12, 2006, file a report as to the prospects for settlement and whether either party feels there is a proper basis for filing a motion for summary judgment.

[X] 5. A scheduling conference will be held on MAY 18, 2006

at 4:00 PM and must be attended by trial counsel with full settlement authority or with their client(s). If appropriate, a schedule for filing motions for summary judgment will be established at this conference.

[X] 6. A final pretrial conference will be held on JUNE 5, 2006 at 4:00 PM and must be attended by trial counsel with full settlement authority or with their client. Counsel shall be prepared to commence trial as of the date of the final pretrial conference.

[X] 7. Trial shall commence on JUNE 12, 2006 .

All provisions and deadlines contained in this Order having been established with the participation of the parties to this case, any requests for modification must be presented to the judge or magistrate judge, if referred for case management proceedings. Any requests for extension will be granted only for good cause shown supported by affidavits, other evidentiary materials, or reference to pertinent portions of the record. The request shall be made by motion and shall contain the reasons for the request, a summary of the discovery which remains to be taken, and a date certain when the requesting party will complete the additional discovery.

Counsel are encouraged to seek an early resolution of this matter. Additional case management conferences may be scheduled by the Court or upon the request of counsel.

By the Court,  
DENNIS P. O'LEARY

December 5, 2005  
Date

/S/ Dennis O'Leary  
Deputy Clerk